

AS

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-256-C - ORDER NO. 96-836
DECEMBER 3, 1996

IN RE: AT&T Communications of the Southern) ORDER
States, Inc.,)
Complainant,)
vs.)
GTE South, Inc./Contel,)
Respondents.)
_____)

This matter comes before the Public Service Commission of South Carolina (the Commission) on two Motions. The first Motion is made by GTE South, Inc./Contel (GTE/Contel or the Company) to bifurcate hearings in this matter. The Company states that the Commission has issued Orders for pre-filing testimony in this matter, that as a result there are two inquiries that the Commission could possibly be called upon to determine. The threshold inquiry is whether GTE's/Contel's operations in South Carolina meet the statutory definition of a rural telephone company as set forth in Section 153 (37) of the Telecommunications Act of 1996 (the Act). Assuming that GTE/Contel is determined to be a rural telephone company under the Act, the second inquiry that the Commission could be asked by AT&T Communications of the

Southern States, Inc. (AT&T) to conduct, pursuant to Section 251 (f)(1)(A) is whether GTE's/Contel's rural exemption status should be discontinued because AT&T's bonafide request for interconnection is not unduly burdensome, is technically feasible, and is consistent with principles of universal services.

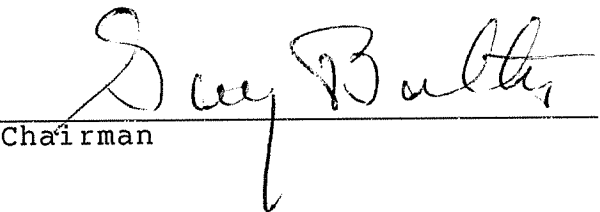
It is noted that on November 22, 1996, AT&T filed a Petition with the Commission seeking arbitration with GTE/Contel pursuant to Section 251 and 252 of the Telecommunications Act of 1996. GTE/Contel notes that AT&T's Petition in this matter is very comprehensive, complex, and detailed. The Commission is therefore requested to bifurcate the proceedings in the two Dockets in the following manner. First, the hearing currently scheduled for December 19, 1996 will proceed as scheduled, but would be limited to the single issue of whether GTE's/Contel's operations in South Carolina meet the statutory definition of a rural telephone company as set forth in Section 153 (37) of the Act, and second, if at the conclusion of the threshold inquiry the Commission concludes that GTE/Contel meets the statutory definition of a rural telephone company, the Commission would then consolidate the inquiry of whether GTE's/Contel's rural exemption should be discontinued pursuant to Section 251(f)(1)(A) in the hearings to be scheduled for AT&T's arbitration proceeding. GTE/Contel submits that bifurcating the proceedings as suggested would be the best use of this Commission's limited time and resources.

The Commission has examined this matter, and agrees that the Motion to Bifurcate the Hearing should be granted as stated above.

The second Motion is by AT&T which asks for an extension in the time for filing its testimony from December 5, 1996 to December 9, 1996, which will give it the same amount of time as GTE/Contel got in its extension. The Commission believes that this request should also be granted.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)